

## **Record of Proceedings**

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### **CALL TO ORDER**

A regular meeting of the Council Bluffs City Council was called to order Monday, April 13, 2009 at 7:00 p.m. by Mayor Tom Hanafan.

### **ATTENDANCE**

Council members present: Darren Bates, Scott Belt, Lynne Branigan, Matt Schultz, Matt Walsh. Mayor Tom Hanafan  
Staff present: Richard Wade, City Attorney; and Judith Ridgeley, City Clerk

### **CONSENT AGENDA**

Walsh and Bates moved and seconded approval of the Consent Agenda as read:

- a) approval of agenda and tape recording be incorporated into the minutes;
  - b) reading, correction, and approval of minutes of March 23, 2009 Council meeting;
  - c) Resolution 09-84, intent to dispose of City property;
  - d) Resolution 09-85, setting public hearing for 4/27/09 on plans, for 2<sup>nd</sup> Avenue pump station;
  - e) Resolution 09-86, setting public hearing for 4/27/09 regarding plans for Big Lake I and II improvements project; and
  - f) Resolution 09-87, setting public hearing on 4/27 regarding the plans for East Manawa Storm Sewer Phase I.
- Unanimous

### **PUBLIC HEARINGS**

Ordinance 6030, 6031, 6032

Held public hearing regarding Ordinance 6030, amending Chapter 15.03, setting restrictions for wind energy conversion systems. Schultz and Walsh moved and seconded to hear all three ordinance regarding wind energy conversion systems in one public hearing. Unanimous.

Ordinance 6031, amending Chapters 15.05, 15.08A, 15.09, 15.10, 15.20, 15.21, and 15.22; and Ordinance 6032, amending Chapter 15.24, both regarding wind energy conversion systems were incorporated into the public hearing.

Schultz and Walsh moved and seconded to continue the public hearing until the regular meeting on April 27, 2009, and to direct staff to draft an ordinance to prohibit the use of wind energy conversion systems within the City limits of Council Bluffs. 4 Aye, 1 Nay (Bates)

#### **Resolution 09-88**

Held public hearing regarding Resolution 09-88, vacation of the north/south alley abutting Lot 9, Block 7, Harriman Place and Lots 7-11, Seldin's First Addition. Bates and Schultz moved and seconded approval of Resolution 09-88. Unanimous

#### **Resolution 09-89**

Held public hearing for Resolution 09-89, granting final plat approval for Lincoln Acres Annex Replat, No. 1. Bates and Walsh moved and seconded approval of resolution 09-89. Unanimous

### **ORDINANCES ON FIRST READING**

Ordinance 6033

Branigan and Belt moved and seconded approval of Ordinance 6033, amending Chapter 1.68, "Council Bluffs Airport Authority" of the Municipal Code by reducing the membership of the Board from nine members to seven members. Unanimous

### **RESOLUTIONS**

Belt and Bates moved and seconded approval of Resolution 09-90,

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<b>Resolution 09-90</b>	authorizing an agreement with IDOT for funds in connection with the College Road (East) Reconstruction, US 6 to Valley View Drive. Unanimous
<b>Resolution 09-91</b>	Belt moved approval of Resolution 09-91, authorizing an agreement with CDM for engineering services for MR2 and MR3 sanitary sewer study. Branigan seconded. Unanimous
<b>Resolution 09-92</b>	Branigan moved approval of Resolution 09-92, authorizing an agreement with Hydro Klean, Inc., for sewer cleaning of the sanitary sewer pipe rehabilitation project. Belt seconded. Unanimous
<b>Resolution 09-93</b>	Belt and Bates moved and seconded approval of Resolution 09-93, agreement with HGM Associates for services for the 29 <sup>th</sup> Avenue Outfall Relocation for I-80/I29 reconstruction segment 2. Unanimous
<b>Resolution 09-94</b>	Walsh and Bates moved and seconded approval of Resolution 09-94 agreement with IDOT for funding for the Council Bluffs trail project – Wabash Trace3 to Bob Kerrey Pedestrian Bridge Trail Rehabilitation project. Unanimous
<b>Resolution 09-95</b>	Belt and Bates moved and seconded approval of Resolution 09-95, agreement with the IDOT for funding for the Mid-City Trail project, from Avenue A to Avenue H. Unanimous
<b>Resolution 09-96</b>	Branigan moved approval of Resolution 09-96, agreement with HGM for services related to design for the Wabash Trace to Bob Kerrey Pedestrian Bridge Trail Rehabilitation Project. Bates seconded. Unanimous
<b>Resolution 09-97</b>	Branigan moved approval of Resolution 09-97, to accept offer of dedication from Rick Nelson for property located at 618 West Washington. Belt seconded. Unanimous
<b>Resolution -09-98</b>	Belt and Walsh moved and seconded approval of Resolution 09-98, authorizing the purchase of a mower for the Parks, Recreation and Public Property Department. Unanimous
<b>Resolution 09-99</b>	Branigan moved approval of Resolution 09-99, providing for unreimbursed costs incurred by the City for the removal of nuisances be assessed to those properties. Belt seconded. Unanimous
<b>Resolution 09-100</b>	Branigan moved approval of Resolution 09-100, providing for unreimbursed costs incurred by the City for the abatement of weeds be assessed to those properties. Belt seconded. Unanimous
<b>Resolution 09-101</b>	Belt and Walsh moved and seconded approval of Resolution 09-101, authorizing agreement with Leazenby Construction. Inc. for the Lower Bennett Rehabilitation, Phase I. Unanimous
<b>Resolution 09-102</b>	Belt and Walsh moved and seconded approval of Resolution 09-102, approving wage and benefit changes for non-union employees for the period 7/1/09 through 6/30/12. Unanimous
<b>Resolution 09-103</b>	Walsh and Belt moved and seconded approval of Resolution 09-103, approving CWA contract for period 7/1/09 through 6/30/12.

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Unanimous

**Resolution 09-104**

Belt and Bates moved and seconded approval of Resolution 09-104, accepting work of D & D Construction for Valley View Drive Extension Project II – Clearing & Grubbing. Unanimous

**Resolution 09-105**

Belt and Walsh moved and seconded approval of Resolution 09-105, Accepting the work of Mains n More, Inc., for rehabilitation of sanitary sewer and services at various addresses on Kenmore Avenue. Unanimous

**Resolution 09-106**

Schultz and Branigan moved and seconded to continue action on Resolution 09-106, 28E agreement with Pottawattamie County for emergency services, until the regular meeting of April 27, 2009, when a copy of the maintenance agreement will be available for review. Unanimous

**RECEIVE AND FILE ITEMS**

Belt and Branigan moved and seconded to receive and file:

- a) one salvage yard application, CB Foreign Auto Parts; and
- b) five notices of claim/loss

Unanimous

**APPLICATIONS FOR  
PERMITS OR  
CANCELLATIONS**

Walsh and Belt moved and seconded approval of renewal of liquor license application for:

- a) Old River Pizza,
- b) Pool and Panini;
- c) Red Lobster; and
- d) Super Saver

Unanimous

**CITIZEN'S REQUEST TO  
BE HEARD**

None

**COUNCIL BUSINESS**

As an ad ministerial note, Branigan moved to submit nominations for the Iowa West Board to Mayor Hanafan by 5:00 p.m. Tuesday, April 14, 2009. Schultz seconded the motion. Bates amended the motion to provide that each City Council member nominate one name to submit to the Mayor for transmittal to the Board. Schultz seconded the amended motion and Branigan concurred. Unanimous

**ADJOURNMENT**

There being no further business to come before City Council, Schultz and Bates moved and seconded to adjourn at 7:46 p.m. Unanimous

The tape recording of this proceeding, though not transcribed, is part of the record of each respective action of the Council. The tape recording of this proceeding is incorporated into these official minutes of this Council meeting as if they were transcribed herein.

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Thomas P. Hanafan, Mayor

ATTEST:

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Judith H. Ridgeley, City Clerk